

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Robert Fischer and Stephanie Lukis,
individually and on behalf of all others
similarly situated,

Plaintiffs,

V.

Instant Checkmate LLC,

Defendant.

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Case No.: 1:19-cv-04892

DEFENDANT INSTANT CHECKMATE, LLC'S
FIRST SET OF REQUESTS FOR PRODUCTION TO PLAINTIFF ROBERT FISCHER

Defendant Instant Checkmate, LLC (“Instant Checkmate”) propounds the following discovery requests to Plaintiff and Robert Fischer:

Unless otherwise indicated in a specific request for production, the following definitions and instructions are and shall be considered a part of each request.

INSTRUCTIONS

Plaintiffs shall produce the original copy of each document requested herein, as well as any drafts, revisions, or copies of the same which bear any mark or notation not present on the original, or which otherwise differ from the original.

1. These requests are continuing in character so as to require you to file supplemental responses if you obtain other, further or different information before trial.
2. If Plaintiffs believe that any given document is responsive to more than one paragraph or subparagraph of this request, Plaintiffs shall produce such document only once in response to the first such request.
3. All objections or answers to requests for production which fail or refuse to fully respond

to any request on the ground of any claim of privilege of any kind whatsoever shall:

- A. state the nature of the privilege;
 - B. state the facts relied upon in support of the claim of privilege;
 - C. identify all documents as to which the claim of privilege is asserted;
 - D. identify all persons having knowledge of any facts relating to the claim of privilege;
and
 - E. identify all persons who have possession of the documents claimed to be privileged.
4. Documents shall be produced at the offices of Gordon Rees Scully Mansukhani, LLP, 1 N Franklin St Ste 800, Chicago, IL 60606, or at such other place as the parties agree.

DEFINITIONS

- 1. “Fischer” and “You” refers to Plaintiff Robert Fischer.
- 2. “Plaintiffs” refer collectively to Robert Fischer and Stephanie Lukis.
- 3. “Defendant” or “Instant Checkmate” refers to Instant Checkmate LLC.
- 4. “Your Counsel” refers to the attorneys or staff who are employed by the law firm of Beaumont Costales.
- 5. “Instant Checkmate Website” refers to the website <https://www.instantcheckmate.com/> and all webpages linked or accessible through it.
- 6. “Related to” or “relating to” shall mean directly or indirectly supporting, evidencing, subscribing, mentioning, referring to, contradicting, comprising, or concerning the subject matter identified in an interrogatory.
- 7. “Document” includes, without limitation, and without regard to the form of matter of recording, any transcript, report, memorandum, record, letter, telegram, wire, overnight letter, pamphlet, brochure, book, minute, microfilm, instruction manual, telephone log, procedural

guideline, microfiche, invoice, calendar, appointment book, note, computer printout, or other writing whether printed, handwritten or otherwise and whether an original, draft or copy.

8. “Communication” or “correspondence” refers to any verbal, written, electronic or other transmittal of words, thoughts, ideas, or images between or among persons or groups of persons, whether in person, by letter, by telephone or by any other means.
9. “Identity” refers to any attribute of an individual that serves to identify that individual to an ordinary, reasonable viewer or listener, including but not limited to (i) name, (ii) signature, (iii) photograph, (iv) image, (v) likeness, or (vi) voice.
10. “And” as well as “or” shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories any information which might otherwise be construed to be outside of their scope.
11. All other words not specifically defined here shall carry the definition ascribed to them in the most recent edition of Meriam-Webster’s dictionary.

REQUESTS FOR PRODUCTION

1. Any and all documents that support or refute any of Your answers to Instant Checkmate’s first set of interrogatories directed at Plaintiffs.
2. Any and all documents that support or refute any of Your responses to Instant Checkmate’s first set of requests for admission directed at Plaintiffs.
3. Any and all documents that relate to Plaintiffs’ claims for statutory damages, actual damages, attorneys’ fees, litigation expenses, costs and any other damages Plaintiff seek as a result of the allegations contained in the Complaint.
4. Any and all documents where You have consented to Your Identity information being used by another.

5. Any and all publicly available documents containing Identity information about You.
6. Any and all publicly available government authored documents (court records, county land records, etc.) containing Identity information about You.
7. Any and all document requesting Your Identity information be removed from any data set.
8. Any and all documents reflecting Your public facing social media accounts (Facebook, Instagram, Twitter, etc.).
9. Any and all documents reflecting Your customer agreement and terms of service between You and Your wireless telephone service provider.
10. Any and all documents reflecting Your customer agreement and terms of service between You and Your television service provider.
11. Any and all documents reflecting correspondence between You and Your counsel prior to You signing an engagement agreement.
12. Any and all documents reflecting agreements between You and Your Counsel.
13. Any and all documents evidencing correspondence between You and other purported class members.
14. Any and all documents evidencing correspondence between Your Counsel and other purported class members.
15. Any and all documents supporting any claim in this case.
16. Any and all documents supporting any alleged damage in this case.

Dated: November 17, 2020

Respectfully submitted,

GORDON REES SCULLY MANSUKHANI, LLP

/s/ Benjamin R. Kinney

Benjamin R. Kinney,

One of the attorneys for defendant

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